

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:07cr130TSL-JCS

RICHARD EARL SMOTHERMAN

ORDER OF DISMISSAL
COUNTS 1 AND 3

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of Court endorsed herein, the United States Attorney for the Southern District of Mississippi hereby dismisses Counts 1 and 3 of the Criminal Indictment against the defendant, RICHARD EARL SMOTHERMAN, without prejudice.

DUNN LAMPTON
United States Attorney

Date: May 2, 2008

By: s/ Erin O. Chalk
Assistant U. S. Attorney

Leave of Court is granted for the filing of the foregoing dismissal of Counts 1 and 3.

ORDERED this the 2nd day of May, 2008.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE